

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Transport Department – Allegation of corruption against Sri I.Raghu Babu, Stenographer, O/o Deputy Transport Commissioner, Visakhapatnam – Further action dropped – Regularisation of suspension period from 23.4.1998 F.N to 16.06.2001F.N. and the period of dismissal w.e.f. 22.1.2011 F.N. to 28.10.2011 A.N. as duty for all purposes – Orders – Issued.

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TRANSPORT, ROADS & BUILDINGS (VIG.III.1) DEPARTMENT

G.O. Rt.No. 921

Dt. 27.09.2013.

Read the following:

1. Proc.R.No.8365/A2/98, Dt. 23.04.1998 to Deputy Transport Commissioner, Visakhapatnam.
2. G.O.Ms.No.185, Dt. 14.09.99 of Transport, Roads & Buildings Dept.
3. Govt.Memo No.7915/Tr.I/1/98-9, Dt. 7.6.2001 of Transport, Roads & Buildings Department.
4. Judgement of the Court of III Addl. District & Sessions Judge-Cum Special Judge for ACB Cases, Visakhapatnam, Dt. 21.02.06 in C.C.No.18/ 1999.
5. Orders of Hon'ble High Court dt. 02.03.2006 in Crl. M.P.No.298/2006.
6. G.O.Ms.No.10, TR&B (Vig.III.1)Dept., Dt. 22.01.2011 of Transport, Roads & Buildings Dept.
7. Judgement of Hon'ble High Court of Andhra Pradesh in Criminal Appeal No.278/2006, Dt. 08.02.2011.
8. Representation of Sri I.Raghu Babu, Dt. 15.02.2011
9. G.O.Ms.No.124, Dt. 21.10.2011 of Transport, Roads & Buildings Department.
10. Representation of Sri I.Raghu Babu, Dt. 29.12.2011.

O R D E R:

In the proceedings 1st read above, Sri I.Raghu Babu, Stenographer was placed under suspension on the allegation of corruption.

2. In the G.O.2nd read above, on the allegation of corruption, sanction was accorded for prosecution of Sri I.Raghu Babu, in a Court of Law.
3. In the memo 3rd read above, Sri I. Raghu Babu was reinstated into service pending prosecution against him and also subject to result of O.A.Nos. 1574/2001 and 3042/2001 filed by him in Andhra Pradesh Administrative Tribunal.
4. The III Additional District & Sessions cum Special Judge for ACB Cases, Visakhapatnam in its judgement Dt. 21.02.2006 in C.C.No.18/99 convicted the A.O. u/s 248 (2) Cr.P.C. to undergo rigorous imprisonment for one year and to pay fine of Rs. 4,000/- and in default of payment of fine amount, to suffer simple imprisonment for three months for the charge u/s. 7 of Prevention of Corruption Act, 1988 in the reference 4th read above.

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5. Against the above said Judgement of Spl. Court for ACB Cases, Sri I.Raghu Babu filed Criminal appeal No.278/2006 before the High Court of Andhra Pradesh and the Hon'ble High Court in Crl.M.P.No.298/2006, dt.02.03.2006 pending disposal of the said appeal, suspended the sentence of imprisonment.

6. While the said Criminal Appeal is pending, in the reference 6th read above, Government have issued orders imposing the punishment of dismissal from service against Sri I.Raghu Babu, Sr. Asst.,

7. In the reference 7th read above, the Hon'ble High Court of Andhra Pradesh, in its judgement dated 08.02.2011 in Criminal Appeal No.278/2006 while allowing the criminal appeal, set aside the conviction as well sentence recorded by the Lower Court in C.C.No.18/1999.

8. In the representation 8th read above, Sri I.Raghu Babu, while enclosing the above said judgement has requested to implement the orders of Hon'ble High Court of Andhra Pradesh and rescind the dismissal orders issued in the G.O. 7th read above.

9. In the reference 9th read above, Government after careful examination of the matter in detail and taking into account the facts and circumstances, orders of the Hon'ble High Court of Andhra Pradesh, and in consultation with concerned appropriate authorities, rescind the orders of dismissal issued in the G.O. 6th read above and also ordered for reinstatement into service.

10. In the representation 10th read above, Sri I.Raghu Babu, Sr.Asst., had requested the Government for Regularisation of suspension period w.e.f. 23.4.1998 F.N. to 16.6.2001 F.N. and the period of dismissal w.e.f. 22.1.2011 F.N. to 28.10.2011 A.N. as duty for all purposes and for payment of salary for the period between the date of dismissal orders and rescinding orders.

11. Government after careful examination of the matter in detail and in consultation with appropriate authorities , have decided to regularise the suspension period w.e.f. 23.4.1998 F.N to 16.6.2001 F.N. and the period of dismissal w.e.f. 22.1.2011 F.N. to 28.10.2011 A.N. as duty for all purposes as the Hon'ble High Court set aside the orders of lower Court.

12. Accordingly, Government hereby order to regularise the suspension period of Sri I.Raghu Babu, Sr. Asst., w.e.f. 23.4.1998 F.N to 16.6.2001 F.N. and the period of dismissal w.e.f. 22.1.2011 F.N. to 28.10.2011 A.N. as duty for all purposes.

13. The Transport Commissioner, Andhra Pradesh, Hyderabad shall take further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

D.LAKSHMI PARTHASARATHY,
SPECIAL CHIEF SECRETARY TO GOVERNMENT.

To

The Individual through Transport Commissioner, A.P., Hyderabad.
The Transport Commissioner, Andhra Pradesh, Hyderabad.

Copy to :

The Pay & Accounts Officer, Andhra Pradesh, Hyderabad.
The Director of Treasuries and Accounts, A.P., Hyderabad.
SF/SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER.